

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

ELOISA COSAJAY, Plaintiff, v. ATLANTICA, LLC and SELENE FINANCE LP, Defendants.	Civil Action No. 19-CV-178
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NOTICE OF REMOVAL

PURSUANT TO 28 U.S.C. §§ 1332, 1441 and 1446, defendants Atlantica, LLC and Selene Finance LP (“Defendants”) hereby remove the above-captioned action, originally filed in the Superior Court of the State of Rhode Island, to the U.S. District Court for the District of Rhode Island.

Statement of Grounds for Removal

1. Eloisa Cosajay (“Plaintiff”) is, on information and belief, a Rhode Island citizen with a principal residence located in Providence, Rhode Island.

2. Atlantica, LLC is a limited liability company with a principal place of business located at 2003 Western Avenue, Suite 340, Seattle, Washington.

3. Selene Finance LP is a residential mortgage company with a principal place of business located at 9990 Richmond Avenue, Suite 400 South, Houston, Texas.

4. The Plaintiff is the record owner of certain real property known as and numbered 220 Sterling Avenue, Providence, Rhode Island (the “Property”).

5. On April 24, 2007, the Plaintiff executed a promissory note in favor of Lime Financial Services, LTD (the “Lender”) to borrow the sum of \$220,000.00 (the

“Note”). As security for her obligations under the Note, the Plaintiff granted a mortgage on the Property in favor of Mortgage Electronic Registration Systems, Inc. as nominee for the Lender (the “Mortgage”).

6. As assignment of mortgage dated May 16, 2017 memorializes the assignment of the Mortgage to Atlantica, LLC.

7. Selene Finance LP is the loan servicer for the Note and Mortgage on behalf of Atlantica, LLC.

8. On April 1, 2019, the Plaintiff filed a complaint (the “Complaint”) with the Superior Court for the State of Rhode Island (the “State Court”), commencing the above-captioned action. A copy of the Complaint is attached hereto as Exhibit 1.

9. In the Complaint, the Plaintiff seeks *inter alia* to enjoin Atlantica, LLC from proceeding with a foreclosure sale regarding its Mortgage on the Property.

Jurisdiction

10. This Court has jurisdiction of the above-captioned action pursuant to 28 U.S.C. § 1332 in that the Plaintiff and the Defendants are citizens of different states and the amount in controversy, exclusive of interest and costs, exceeds the sum or value of \$75,000.00.

11. Removal is timely as, on April 1, 2019, the Plaintiff filed the Complaint with the State Court.

12. Pursuant to the Local Rules for the U.S. District Court for the District of Rhode Island (the “District Court”), within 14 days after the filing of this notice of removal, the Defendants shall work with the District Court to obtain and file certified or

attested-to copies of all records and proceedings in the State Court and a certified or
attested-to copy of all docket entries in the State Court. Local Rule 81.

Respectfully submitted,

ATLANTICA, LLC and
SELENE FINANCE LP,

By their attorney,

/s/ Lauren M. Bucci, Esq
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DATE: April 5, 2019